

PUBLIC NOTICE

YOU HAVE A VOICE IN AIR POLLUTION CONTROL IN ARIZONA

The Arizona Department of Environmental Quality (ADEQ) has reached a preliminary determination and is proposing to issue Air Quality Control Renewal Permit No. 42704 to Apache Nitrogen Products for the continued operation of their nitric acid and fertilizer facility located at 1436 S. Apache Powder Road, St. David, Cochise County, Arizona 85630. The mailing address for the facility is P.O. Box 700, Benson, Arizona 85602. The proposed Permit is subject to the requirements of the Federal Clean Air Act, Arizona Revised Statute 49-426, and the Arizona Administrative Code, Title 18, Chapter 2, Articles 3, 6, 7 and 9. This proposed permit will limit emissions of particulate matter, particulate matter less than 10 microns, nitrogen oxides, carbon monoxide, and ammonia.

This Public Notice provides information to help you participate in the decision-making process. You have an opportunity to submit written comments on the Permit, and request that ADEQ hold a Public Hearing in the permit. The written comment shall state the name and mailing address of this person, shall be signed by the person, their agent or attorney, and shall clearly set forth reasons why the Permit should or should not be issued. Grounds for comment are limited to whether the Permit meets the criteria for issuance spelled out in the state air pollution control laws or rules.

Materials related to the Permit, including the application, ADEQ's analysis and the draft permit are available for your review at ADEQ's office at 1110 West Washington Street, Phoenix, Arizona and at the Benson City Clerk's Office at 120 W. 6th Street in Benson, AZ 85602.

Persons wishing to submit written comments or request a Public Hearing have until April 21, 2008, to do so. Comments and/or requests should be directed to: Director, Air Quality Division, Arizona Department of Environmental Quality, 1110 West Washington Street, 3415A-1, Phoenix, Arizona 85007-2935.

ADEQ will consider all comments received in making a final decision on the proposed Permit. Everyone commenting will receive notification of the final decision. People who file comments on the Permit will have the right to appeal the final decision as an appealable agency action to the Office of Administrative Hearing (OAH) pursuant to §41.1092.03, and the appeal must be filed within thirty (30) days after the issuance of the final decision. The OAH may sustain, modify, or reverse the final decision.

Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting Linda Morrison (602) 771-4793 TDD phone (602) 771-4829. Requests should be made as early as possible to allow time to arrange the accommodation.

If you would like to receive copies of future Public Notices of Air Pollution Control Permits, please provide a typewritten or a clearly printed copy of your name, address, and ZIP code, to the Director of Air Quality Division at ADEQ's address shown above. Your request should also state that you wish your name to be placed on the Air Quality Permit mailing list.

If you have any questions or would like to find out more information about this Permit, please contact Air Permits Section at (602) 771-2337 or (602) 771-2338, when in Arizona, toll free (800) 234-5677 ext. 771-2337 or 771-2338, or at ADEQ's address shown above.